

MINUTES OF
Budget and
Control Board
Meeting

July 6, 1978

MINUTES OF BUDGET AND CONTROL BOARD MEETING

JULY 6, 1978 2:45 P. M.

The Budget and Control Board met at 2:45 p.m. on July 6, 1978 in the Governor's Conference Room with the following members in attendance:

Governor James B. Edwards
Mr. Grady L. Patterson, Jr.
Senator Rembert C. Dennis

Also attending were Board Secretary State Auditor William T. Putnam, Governor's Executive Assistant Walter R. Pettiss, A. E. Reiser, P. C. Smith, Donna K. Clark and William A. McInnis.

The following items of business were considered:

MINUTES OF PREVIOUS MEETINGS - Draft versions of the minutes of the poll completed on June 23, 1978 and of the meeting held on June 28, 1978 previously had been furnished to Board members.

Upon a motion by Senator Dennis, seconded by Mr. Patterson, the referenced minutes were approved as written.

POLL AGENDA - The Budget and Control Board without objection approved all items on the poll agenda which are identified as such in these minutes.

DEPARTMENT OF MENTAL HEALTH - SELECTION OF A&E FIRM (POLL ITEM 1) -
William S. Hall, M. D., Commissioner of the Department of Mental Health, advised the Budget and Control Board that the following firms, listed in order of preference, had been selected to conduct a feasibility study of the Mills Building to determine an adaptive use for this historic structure and to make recommendations on surrounding grounds:

	<u>Firm</u>	<u>Location</u>	<u>Reported State Work in Prior Two Years</u>
(1)	Odell Associates, Inc.	Greenville	\$ -0-
(2)	Wells, Fleetwood and Hutchinson	Aiken	-0-
(3)	The Triad Architect Associates	Columbia	-0-

After being advised that the required selection procedure had been followed, the Budget and Control Board without objection approved the selection of Odell Associates, Inc., for the referenced project, as requested by Dr. Hall.

Information relating to this matter has been retained in these files and is identified as Exhibit I.

YOUTH SERVICES - SELECTION OF LANDSCAPE ARCHITECTURAL FIRM (POLL ITEM 2) - Youth Services Director of Purchasing Richard J. Campbell advised the Board that the following firms, listed in preference order, had been selected to provide landscape design services at the Birchwood Campus:

<u>Firm</u>	<u>Location</u>	<u>Reported State Work in Prior Two Years</u>
(1) Odell Associates, Inc.	Greenville	\$ -0-
(2) Kenneth B. Simmons Associates	Columbia	-0-
(3) Charles M. Gorman Associates	Columbia	-0-
(4) Robert E. Marvin & Associates	Walterboro	56,750 (fee)

After being advised that the required selection procedure had been followed, the Budget and Control Board without objection approved the selection of Odell Associates, Inc., for the referenced project, as requested by Youth Services.

Information relating to this matter has been retained in these files and is identified as Exhibit II.

DEVELOPMENT BOARD - POSITIONS ABOVE AUTHORIZED NUMBER (POLL ITEM 3) - Development Board Deputy Director F. Earl Ellis requested Board approval of the addition of five Geology - Unclassified Positions to the nine specified in the 1978-79 Appropriation Bill as passed by the Senate. Mr. Ellis indicated that these are to be part-time positions and that the funds appropriated for this purpose will be spread among the additional positions requested. Mr. Ellis pointed out also that no additional funding is involved.

Mr. Ellis also requested authorization to add one additional part-time position under Economic Development - Classified Positions as a temporary measure to provide a replacement for an employee suffering from a partially

disabling condition who is expected to retire on or about November 1, 1978.

The Budget and Control Board without objection approved the establishment of the five additional Geology - Unclassified Positions and the one part-time position under Economic Development - Classified.

Information relating to this matter has been retained in these files and is identified as Exhibit III.

DIVISION OF GENERAL SERVICES - RIGHT-OF-WAY GRANT TO SCE&G FOR HOUSING AUTHORITY WALTERBORO PROJECT (POLL ITEM 4) - Division Director Furman E. McEachern, Jr., advised the Board that the South Carolina Electric and Gas Company has requested a right-of-way to provide electrical service to the Walterboro Apartments now being constructed by the State Housing Authority. Mr. McEachern noted that the requested right-of-way will be in accord with plans as shown on drawing #D-58,575 approved February 17, 1978.

The Budget and Control Board without objection granted the referenced right-of-way, as recommended by Mr. McEachern.

Information relating to this matter has been retained in these files and is identified as Exhibit IV.

STATE PERSONNEL DIVISION - EDUCATIONAL LEAVE FOR MENTAL HEALTH LPN's - State Personnel Division Director Jack Mullins, accompanied by Department of Mental Health Staff Members Larry Propes, Brooks Galloway and Edward J. Owens, appeared before the Budget and Control Board on this matter. Dr. Mullins introduced the item by reporting that only seven Licensed Practical Nurses I and five Licensed Practical Nurses II who live within a reasonable distance of Columbia are presently on the Merit System register. Attorney Propes pointed out that by January of 1983 the Department of Mental Health will need to have some 570 additional persons trained as Licensed Practical Nurses to meet the requirements of recent legislation requiring that only licensed nursing personnel may dispense medications. Mr. Galloway noted that the proposed 15-month training program had been discussed with Midlands TEC over a period

of one year and that a Licensed Practical Nurse program has been approved by Midlands TEC. He also pointed out that the Mental Health employees participating in the program would be selected competitively and that the Department would reimburse Midlands TEC for the costs of two instructors. Mr. Galloway further indicated that participating employees would be in school with pay for three hours daily and that upon satisfactory completion of the course and the passing of the examination these employees would be upgraded from the Mental Health Specialist classification to Licensed Practical Nurse positions.

State Personnel Division Director Jack Mullins, in response to Governor Edwards' query, again pointed out that seven LPN's I and five LPN's II are currently on the Merit System register and that two others are currently registered with the Recruiting Unit. Mr. Galloway pointed out that the persons listed on these registers have recently been contacted but no response has been received from them to date. Governor Edwards pointed out that some 360 names are presently on the nurses register and that these persons are already trained.

In response to Mr. Patterson's query, Mr. Galloway noted that the original "pay-back" obligation proposed was six months and Dr. Mullins pointed out that this had been revised to require a 12-month "pay-back" period.

Governor Edwards was advised by Messrs. Galloway and Propes that, upon completion of the proposed training program, the participants would be legally qualified to administer medications.

Following this discussion, upon a motion by Senator Dennis, seconded by Mr. Patterson, the Budget and Control Board approved the special educational leave system to allow the Department of Mental Health to establish a training program for Licensed Practical Nurses in conjunction with Midlands Technical College.

Information relating to this matter has been retained in these files and is identified as Exhibit V.

STATE PERSONNEL DIVISION - "ON CALL" AND "CALL BACK" PAY FOR MENTAL HEALTH PHYSICIANS - Following a brief discussion of this item, the Board deferred action pending further negotiations between the Department of Mental Health and State Personnel Division.

Information relating to this matter has been retained in these files and is identified as Exhibit VI.

STATE ENGINEER - A&E SELECTION PROCEDURE - State Engineer John McPherson appeared before the Board on this matter and State Auditor Putnam briefly reviewed an Attorney General's Office opinion on the A&E selection process which had been secured as a follow-up to the discussion of this subject at the Board's 6/7/78 meeting. Mr. Putnam noted that the Attorney General's opinion seemed to indicate that the law is very clear on the question that if the firm selected as the first choice by an agency is rejected by the Board the firm listed second in order of preference by the selecting agency does not automatically become number one.

Senator Dennis noted that the Board in this situation has negative rather than affirmative power and that the agencies are the judges and negotiators in the procedure.

Following a brief discussion, the Budget and Control Board received as information the referenced Attorney General's Office opinion on the A&E selection procedure.

Information relating to this matter has been retained in these files and is identified as Exhibit VII.

EXECUTIVE SESSION - State Auditor Putnam announced that two personnel matters, one settlement of a pending suit and contracts for printing had been proposed for consideration in Executive Session. The Budget and Control Board without objection agreed to consider these matters whereupon Governor Edwards declared the meeting to be in Executive Session.

RATIFICATION OF EXECUTIVE SESSION ACTIONS - Following the Board's

consideration of Executive Session items, the meeting was opened and the following actions taken by the Board in Executive Session were ratified without objection:

(1) Authorized the Medical University to continue the present practice of paying the employer portion of health insurance costs for resident M.D.'s, D.D.S.'s and D.M.D.'s;

(2) Heard but took no action on a preliminary report on a study of unclassified administrative positions within the State colleges and universities, the Commission on Higher Education and the State Board for Technical and Comprehensive Education; and

(3) Authorized the State Personnel Division to request State colleges and universities and the State Board for Technical and Comprehensive Education to provide a listing of each unclassified employee for whom a salary increase in excess of 13% during 1978-79 is being requested.

The meeting was adjourned at 4:10 p.m.

(SECRETARY'S NOTE: Governor Edwards adjourned the meeting because of a lack of a quorum after Senator Dennis had to return to his legislative duties. It was agreed that an attempt would be made to poll the Board members on the several remaining items on the agenda for the present meeting.)

STATE BUDGET AND CONTROL BOARD

EXHIBIT I
7/6/78

POLL OF July 6, 1978

POLL ITEM NUMBER

Agency: Department of Mental HealthSubject: Selection of A&E Firm

Dr. Hall advises that the following firms, listed in order of preference, have been selected to conduct a feasibility study of the Mills Building (to determine an adaptive use for this historic structure) and make recommendations on surrounding grounds:

	<u>Firm</u>	<u>Location</u>	<u>Reported State Work in Prior Two Years</u>
(1)	Odell Associates, Inc.	Greenville	\$ -0-
(2)	Wells, Fleetwood and Hutchinson	Aiken	-0-
(3)	The Triad Architect Associates	Columbia	-0-

The required selection procedure has been followed.

Board Action Requested:

Approve selection of Odell Associates, Inc for the referenced project.

Vote Of Board Member: (Please indicate by initialing appropriate line below.)

_____ I approve of the above action.
_____ I disapprove of the above action.
_____ Hold for regular meeting.

Attachments:



South Carolina Department of Mental Health

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202 / (803) 758-8090

William S. Hall, M.D.
State Commissioner of Mental Health

April 13, 1978

Mr. John A. McPherson, Jr., P. E.
State Engineer
S. C. State Budget and Control Board
P. O. Box 11333
Columbia, S. C. 29211

RE: Project #26-98
Feasibility Study of Mills Building
and Surrounding Grounds

RECEIVED
APR 26 1978

S. C. BUDGET AND
CONTROL BOARD

Dear Mr. McPherson:

I am enclosing for your consideration and recommendation to the S. C. Budget and Control Board for their approval, the architectural consultant for the above referenced project. The Mental Health Commission during a meeting on March 7, 1978 selected the firm of Odell Associates, Inc. Other firms considered were Craig & Gaulden Architects, Inc.; Henry Boykins; The Tarleton-Tankersley Architectural Group, Inc.; J. E. Sirrine Company; Carlisle Associates; The Triad Architects Associates; and Wells, Fleetwood and Hutchinson.

The Department's Selection Committee had conferences with each of the firms listed above. The Committee considered each firm submitting a resume' and expressing an interest in the Feasibility Study.

The Mental Health Commission has considered the following firms in the priority as listed.

1. Odell Associates, Inc. of Greenville, S. C.
2. Wells, Fleetwood and Hutchinson of Aiken, S. C.
3. The Triad Architect Associates of Columbia, S. C.

I am enclosing a copy of a tentative contract between the firm of Odell Associates, Inc. and the Department of Mental Health. The information received by the Department is that Odell Associates, Inc. of Greenville has had no State architectural contracts within the last two years.

Also, I am enclosing copies of statement of construction projects for the Department and a certification of the advertisement as published in The State Newspaper.

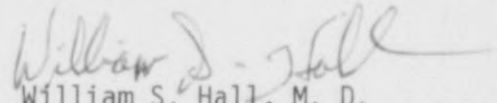
Mr. John A. McPherson

Page 2

April 14, 1978

If you should need any additional information in obtaining approval of this request, contact Robert B. Price, Director of our Engineering and Planning Section.

Sincerely,

A handwritten signature in cursive script, appearing to read "William S. Hall".

William S. Hall, M. D.
State Commissioner of Mental Health

WSH:RBP:rsh

Enclosures

cc: Karl V. Daskocil, M. D.
Mr. Larry Leslie



South Carolina Department of Mental Health

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202 / (803) 758-8090

William S. Hall, M.D.
State Commissioner of Mental Health

June 29, 1978

Mr. John A. McPherson, Jr., P. E.
State Engineer
S. C. State Budget and Control Board
P. O. Box 11333
Columbia, SC 29211

RE: Project #26-98
Feasibility Study of the Mills
Building and Surrounding Grounds

Dear Mr. McPherson:

In reference to my letter of April 13, 1978, the following statement is furnished as requested by you in order to present to the Budget and Control Board for their consideration for the selection of the architect for the above referenced project:

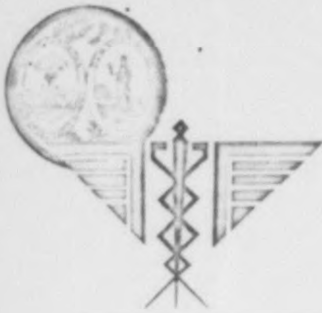
The consideration given to all firms in the selection process, was the amount of State projects the firms had in the past two years.

I hope that we had now supplied you with all necessary information in order to obtain the approval of the Board. If you should need any additional information, please contact me at your earliest convenience.

Sincerely,

Robert B. Price, P. E.
Director of Engineering and Planning

RBP/rsh



South Carolina Department of Mental Health

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202 / (803) 758-8090

William S. Hall, M.D.
State Commissioner of Mental Health

MEMORANDUM

TO: Mr. John A. McPherson, Jr., P. E.
State Engineer

SUBJECT: State Work Performed for the Last Two Years by Consultants
Considered for the Feasibility Study of the Mills Building
Project #26-98

1. Craig and Gaulden Architects, Inc.

a. The License Sale Office for the S. C. Department of Highways and
Public Transportation. *\$232,979⁰⁰*

b. A support facility for the Daniel Theater, Clemson University *\$226,980⁰⁰*

2. Odell Associates, Inc.

Odell Associates has not had any State work within the last two years.

3. Henry D. Boykin

a. A small building for the S. C. Employment Security Commission

4. The Tarleton-Tankersley Architectural Group, Inc.

a. The Tarleton-Tankersley Architectural Group has been awarded a project
by Lander College. *\$3,600,000⁰⁰*

5. J. E. Sirrine Company

a. The J. E. Sirrine Company has been awarded a project by Francis
Marion College. *\$2,990,000⁰⁰*

6. Carlisle Associates

a. No state work.

7. The Triad Architect Associates

a. The Horseshoe Restoration and Addition at the University of S. C. *More than 2 years ago*

8. Wells, Fleetwood, and Hutchison

a. No state work.

Robert B. Price, P. E.
Director, Engineering and Planning

5/18/78

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document B727

Standard Form of Agreement Between Owner and Architect For Special Services

THIS DOCUMENT IS FOR USE WHEN OTHER B-SERIES DOCUMENTS DO NOT APPLY

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH
AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION

AGREEMENT

made this _____ day of _____ in the year of Nineteen
Hundred and Seventy Eight

BETWEEN the Owner South Carolina Department of Mental Health
Columbia, South Carolina

and the Architect Qdell Associates Inc.
Planning . Architecture , Engineering
Greenville, South Carolina

RECEIVED

APR 26 1978

B. C. BUDGET AND
CONTROL BOARD

It is the intention of the Owner to conduct a feasibility study of the Mills Building to determine an adaptive use for this historic structure. Included in this evaluation will be recommendations for the surrounding grounds and buildings, especially Babcock Building and The Barton House.

hereinafter referred to as the Project.

The Owner and the Architect agree as set forth below.

I. THE ARCHITECT shall provide professional services for the Project in accordance with the Terms and Conditions of this Agreement.

II. THE OWNER shall compensate the Architect, in accordance with the Terms and Conditions of this Agreement, as follows:

a. FOR THE ARCHITECT'S SERVICES, as described in Paragraphs 1.1, compensation computed on one of the following bases:

1. A Fixed Sum in the amount of _____ dollars (\$ _____).

2. A Multiple of Direct Personnel as follows:

Principals' time at the fixed rate of Fifty - two dollars (\$ 52.00) per hour. For the purposes of this Agreement, the Principals are:

Mr. Benjamin T. Rook AIA
301 College Street
Greenville, South Carolina 29601

Employees' time at a multiple of two and one half (2.5) times the employees' Direct Personnel Expense as defined in Article 3.

~~Services of professional consultants at a multiple of _____ times the amount billed to the Architect for such services.~~

The rates and multiples set forth in this Paragraph IIa(2) will be subject to renegotiation if the services covered by this Agreement have not been completed within six (6) months of the date hereof.

3. (Here note any other method of compensation selected.)

For the purposes of this contract the following OAI/Greenville employees should be included in Item #2 above:

Mr. Donald F. Cuddihee AIA
Mr. Eugene Midyette AIA
Mr. William R. Pursley, Jr.
Mr. J. Terry Dismukes
Ms. Wanda C. Rice

The architect agrees to provide the services described in Article I for a maximum not to exceed fee of \$10,000 including reimbursables as defined in Article 4. Should the scope of these services be changed by the owner, it is agreed that the fee will be renegotiated to reflect these changes.

~~b. AN INITIAL PAYMENT of _____ dollars (\$ _____) shall be made upon the execution of this Agreement and credited to the Owner's account.~~

c. FOR THE ARCHITECT'S REIMBURSABLE EXPENSES, amounts expended as defined in Article 4.

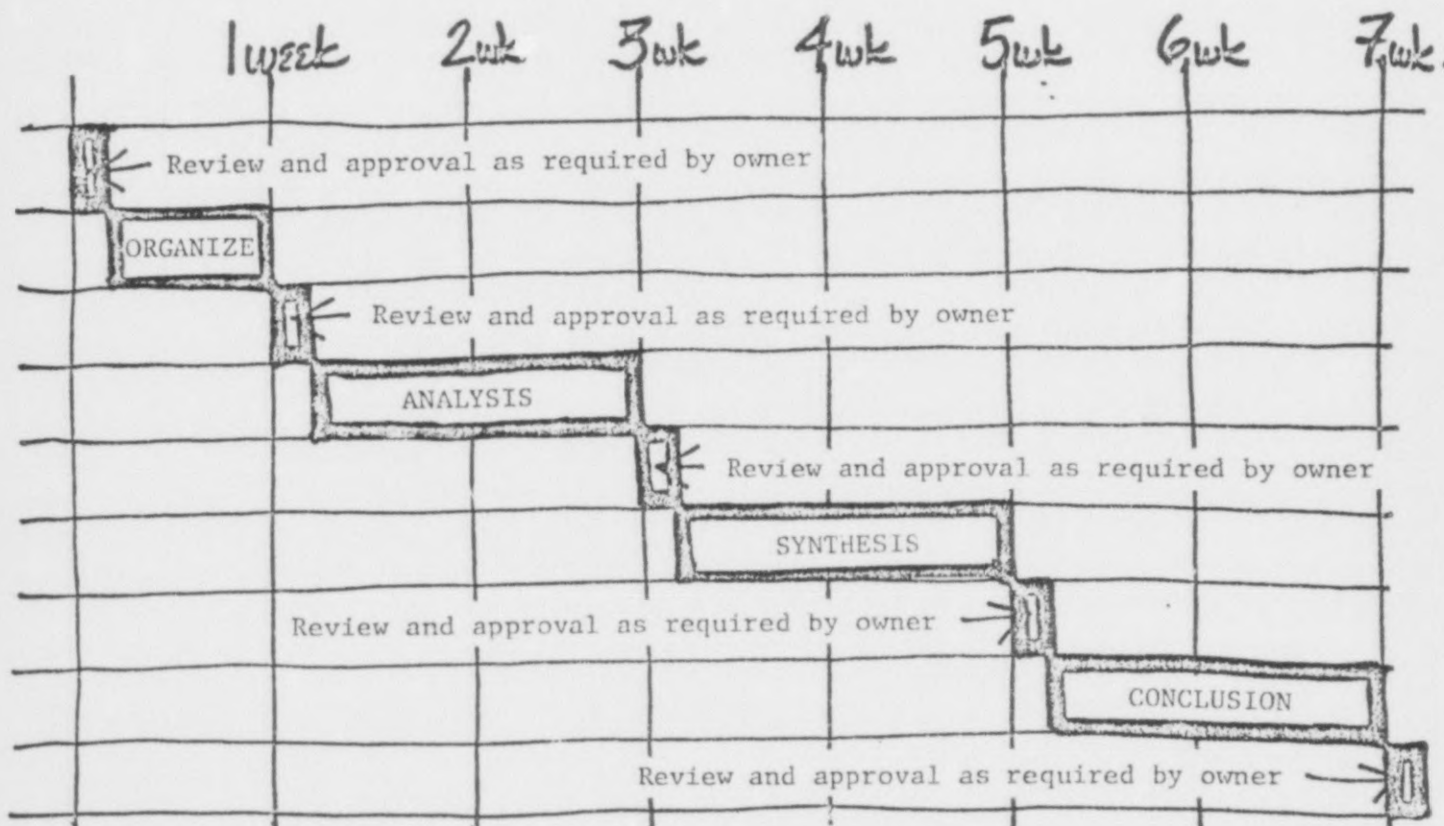
d. THE TIMES AND FURTHER CONDITIONS OF PAYMENT shall be as described in Article 5.

TERMS AND CONDITIONS OF AGREEMENT BETWEEN OWNER AND ARCHITECT

ARTICLE 1

ARCHITECT'S SERVICES

(Here list those services to be provided by the Architect under the terms and conditions of this Agreement. Note under each service listed the method and means of compensation to be used if applicable.)



ORGANIZE

- Agree on mission & method (why?)
- Who will be responsible for what
- Meet with S.C. Dept. of Archives
- Meet with commission
- Gather & organize information & document

ANALYSIS

- Arch. & Eng. evaluation of bldgs. (exist.)
- Define possible uses:
 - Needs
 - Code
 - Req.
 - Cost
 - Etc.
- Conclude with a "Pro" & "Con" analysis of each

SYNTHESIS

- Documentation of realistic options
- Cost/benefit of each
- Detailed recommendation of how implementation could occur.
- Document

CONCLUSION

- Meet with commission
- Define best alternative
- Document this alternative
- Compile info. into a written document which can be printed by S.C.D.M.H.
- Final presentation of findings to commission

ARTICLE 2

THE OWNER'S RESPONSIBILITIES

2.1 The Owner shall provide full information regarding his requirements for the Project.

2.2 The Owner shall designate, when necessary, a representative authorized to act in his behalf with respect to the Project. The Owner or his representative shall examine submissions made by the Architect and shall render decisions pertaining thereto promptly, to avoid unreasonable delay in the progress of the Architect's work.

2.3 The Owner shall furnish information required of him as expeditiously as necessary for the orderly progress of the Work and the Architect shall be entitled to rely upon the accuracy and completeness thereof.

ARTICLE 3

DIRECT PERSONNEL EXPENSE

3.1 Direct Personnel Expense of employees engaged on the Project by the Architect applies to architects, engineers, designers, job captains, draftsmen, specification writers and typists, for consultation, research and design, in producing any documents pertaining to the Project, and in services required at the site.

3.2 Direct Personnel Expense includes cost of salaries and of mandatory and customary benefits such as statutory employee benefits, insurance, sick leave, holidays and vacations, pensions and similar benefits.

ARTICLE 4

REIMBURSABLE EXPENSES

4.1 Reimbursable Expenses are in addition to the Compensation for Services and include actual expenditures made by the Architect, his employees, or his professional consultants in the interest of the Project for the expenses listed in the following Subparagraphs:

~~4.1.1 Expense of transportation and living when traveling in connection with the Project; long distance calls and telegrams; and fees paid for securing approval of authorities having jurisdiction over the Project.~~

4.1.2 Expense of reproductions, postage and handling of Drawings and Specifications excluding duplicate sets at the completion of each Phase for the Owner's review and approval. Final document to be printed by

~~S. C. D. M. H. if authorized in advance by the Owner, expense of overtime work requiring higher than regular rates and expense of renderings or models for the Owner's use.~~

~~4.1.4 Expense of computer time.~~

ARTICLE 5

PAYMENTS TO THE ARCHITECT

5.1 Payments on account of the Architect's Services and for Reimbursable Expenses as defined in Article 4 shall be made monthly upon presentation of the Architect's statement of services rendered or as hereinbefore provided.

~~5.2 An initial payment as set forth in Paragraph IIb (Page 2) is the minimum payment under this Agreement.~~

5.3 If the Project is suspended for more than three months or abandoned in whole or in part, the Architect shall be paid his compensation for services performed prior to receipt of written notice from the Owner of such suspension or abandonment, together with Reimbursable Expenses then due and all terminal expenses resulting from such suspension or abandonment. If the Project is resumed after being suspended for more than three months, the Architect's Compensation shall be subject to renegotiation.

5.4 Payments due the Architect under this Agreement shall bear interest at the legal rate commencing sixty days after the date of billing.

ARTICLE 6

ARCHITECT'S ACCOUNTING RECORDS

Records of the Architect's Direct Personnel, Consultant and Reimbursable Expenses pertaining to the Project shall be kept on a generally recognized accounting basis and shall be available to the Owner or his authorized representative at mutually convenient times.

ARTICLE 7

TERMINATION OF AGREEMENT

7.1 This Agreement may be terminated by either party upon seven days' written notice should the other party fail substantially to perform in accordance with its terms through no fault of the other. In the event of termination due to the fault of others than the Architect, the Architect shall be paid his compensation plus Reimbursable Expenses for services performed to termination date and all terminal expenses.

7.2 Terminal Expenses are defined as Reimbursable Expenses directly attributable to termination, plus a percentage computed as follows:

For Services provided on a Multiple of Direct Personnel Expense, 20% of the total incurred at the time of termination;

For Services provided on a Lump Sum, 10% of the Lump Sum Amount.

ARTICLE 8

SUCCESSORS AND ASSIGNS

The Owner and the Architect each binds himself, his partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither the Owner nor the Architect shall assign, sublet or transfer his interest in this Agreement without the written consent of the other.

~~ARTICLE 9~~

~~ARBITRATION~~

~~9.1 All claims, disputes and other matters in question arising out of, or relating to, this Agreement or the breach thereof shall be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise. This agreement to arbitrate shall be specifically enforceable under the prevailing arbitration law.~~

~~9.2 Notice of the demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. The demand shall~~

~~be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.~~

~~9.3 The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.~~

ARTICLE 10

EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement between the Owner and the Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Owner and Architect.

ARTICLE 11

GOVERNING LAW

Unless otherwise specified, this Agreement shall be governed by the law of the principal place of business of the Architect.

This Agreement executed the day and year first written above.

OWNER

ARCHITECT

WITNESS:

WITNESS:

COLUMBIA NEWSPAPERS, INC.

Publishers of

The State
Mornings and Sunday

AND

The Columbia Record
Evenings

ENGINEERING AND/OR
ARCHITECTURAL SERVICE
QUALIFICATION REQUEST
The South Carolina Department of
Mental Health requests submission of
resumes of qualifications from engi-
neering and/or architectural firms
interested in providing professional
architectural and/or engineering ser-
vices for a Feasibility Study of the
Mills Building and Surrounding
Grounds and Buildings located on the
South Carolina State Hospital campus
Columbia, South Carolina. Replies for
consideration should be forwarded to
Mr. Robert B. Price, Chief of Engi-
neering and Planning, S.C. Depart-
ment of Mental Health, P.O. Box 485,
Columbia, S.C. 29202, no later than
August 31, 1977.

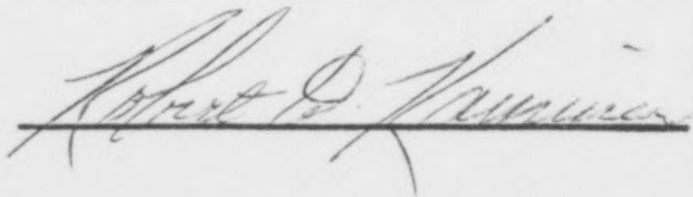
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Personally appeared before me Robert D. Kaminer, Assistant Retail Advertising
of THE STATE, and makes oath that the advertisement, Manager


Notice - Feasibility Study of the Mills Building & Grounds

a clipping of which is attached hereto, was printed in THE STATE,
a daily newspaper of general circulation published in the City
of Columbia, State and County aforesaid, in the issues of

August 12, 21, 1977



Subscribed and sworn to before me
this 22nd day of August 1977.

 Notary Public

MILLS BUILDING

1. The Tarleton-Tankersley Arch. Group
2. Fellers and Associates
3. LBC&W Consultants
4. William S. Dowis, Jr.
5. Architects Boudreaux
6. W. E. Gilbert & Associates
7. Stephen A. Usry Architect
8. Harold Swygert & Associates
9. Ben Compton Architect
10. MBTB
11. ADEP
12. J. Alison Lee Architect
13. Craig & Gaulden Architect (resume' in Village C Box)
14. Carlisle Associates
15. The Triad Architect Associates
16. Henry Boykins
17. Stephen Carter & Associates
18. William Bailey Kauric
19. William Anderson
20. MGJ&K
21. Bultman-Coulter-Gasque
22. Design Collaborative

PROJECT NUMBER	PROJECT	DATE OF CONSTRUCTION CONTRACT	CONSTRUCTION CONTRACT	DATE OF PROFESSIONAL CONTRACT	ARCHITECTURAL/ENGINEER
26-83	Air Conditioning Two Buildings (CFSH)	May 5, 1975	J. A. Metze & Sons, Inc. (\$439,563.00)	May 29, 1974	McMillan/Bunes/Townsend/Bowen
26-84	Air Conditioning Four Buildings (SCSH)	October 1, 1975	Poole & Kent Company (\$1,357,558.00)	May 29, 1974	McMillan/Bunes/Townsend/Bowen
26-85	Supply and Laundry Center (CFSH)	August 4, 1976	Power Construction Co. (\$456,992.00)	July 15, 1975	William Bailey Kauric
26-86	Warehouse Renovation & Addition SCDMH	June 24, 1976	George A. Creed & Son, Co. (\$1,151,682.00)	March 27, 1975	Jackson-Miller-Wilds
26-87	Upgrade Electrical Service Connections (CFSH)	August 26, 1976	Gregory Electric Co. (\$120,660.00)	November 21, 1975	Tectonics, Inc.
26-92	Additional A/C for Brynes Clinical Center	March 7, 1977	Walker Plumbing & Heating (\$84,237.00)	May 4, 1976	Bruce Flemming & Associates
26-94	Village "B"			September 9, 1976	MBTB Architects/Engineer
26-97	Thompson Building Renovation and A/C			August 22, 1977	Reed-Shealy & Associates
26-98	Mills Buildings				

STATE BUDGET AND CONTROL BOARD

POLL OF July 6, 1978

POLL ITEM NUMBER

EXHIBIT II

27/6/78

Agency: Youth ServicesSubject: Selection of Landscape Architectural Firm

Youth Services Director of Purchasing Campbell advises that the following firms, listed in order of preference, have been selected to provide landscape design services at the Birchwood Campus:

	<u>Firm</u>	<u>Location</u>	<u>Reported State Work in Prior Two Years</u>
(1)	Odell Associates, Inc.	Greenville	\$ -0-
(2)	Kenneth B. Simmons Associates	Columbia	-0-
(3)	Charles M. Gorman Associates	Columbia	-0-
(4)	Robert E. Marvin & Associates	Walterboro	56,750 (fee)

The required selection procedure has been followed.

Board Action Requested:

Approve selection of Odell Associates, Inc. for referenced project.

Vote Of Board Member: (Please indicate by initialing appropriate line below.)

 I approve of the above action.
 I disapprove of the above action.
 Hold for regular meeting.

Attachments:



Grady A. Decell
Director

Youth Services

P. O. Box 21487/Columbia, S. C. 29221
Telephone (803) 758-6592

May 8, 1978

Mr. John McPherson, Jr.
Chief Engineer
Engineering Construction Section
State Auditor Office
P. O. Box 11333
Columbia, South Carolina

RECEIVED
MAY 11 1978
S. C. BUDGET AND
CONTROL BOARD

Dear Mr. McPherson:

I am requesting the Budget and Control Board's approval to enter into a contract for landscape architectural services with Odell Associates Inc. In compliance to established procedures for approval of an A & E contract I am submitting the following information:

A. List of firms interviewed

STATE WORK

1. Kenneth B. Simmons Associates
3131 Millwood Avenue
Columbia, South Carolina
2. Robert E. Marvin & Associates
Route 4, Box 10
Walterboro, South Carolina 29488
3. Odell Associates, Inc.
301 College Street
Greenville, South Carolina 29601
4. Charles M. Gorman, Jr., A.S.L.A.
Jo Claire Haney, L.A. Associate
1608 Darnell Road
Columbia, South Carolina 29210

\$50,750 Fee

-0-

-0-

B. Firm preference in order:

1. Odell Associates, Inc.
2. Kenneth B. Simmons Associates
3. Charles M. Gorman Associates A.S.L.A.
4. Robert E. Marvin & Associates

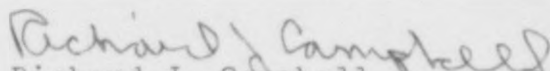
- C. A criteria in our selection process was to give consideration to the amount of State projects these firms have had in the past two (2) years.
- D. Copy of contract that has been negotiated with the #1 firm. (attached)
- E. Copy of newspaper advertisement (attached)
- F. Firms responding to advertisement.
1. Odell Associates
 2. Robert E. Marvin & Associates
 3. Kenneth B. Simmons Associates
 4. Charles Gorman Associates A.S.L.A.
- G. Number of contracts executed for State in past two (2) years.
1. One
- H. A & E Contracts awarded in last three (3) years.

Geiger, McElveen & Kennedy
2821 Millwood Avenue
Columbia, South Carolina

Amount: \$321,948.00

Project # 11-5 East Campus Facility

Respectfully,


Richard J. Campbell
Director of Purchasing

RJC/ap

Attachments



Grady A. Decell
Director

Youth Services

P. O. Box 21487/Columbia, S. C. 29221
Telephone (803) 758-6592

June 28, 1978

Mr. John A. McPherson, Jr.
Chief Engineer
State Auditor's Office
205 Wade Hampton Office Building
Columbia, South Carolina 29211

Dear Mr. McPherson:

Please be advised that the South Carolina Department of Youth Services accepts the proposal for Landscape Architectural Service submitted by Odell Associates on February 23, 1978. This contract shall be executed in accordance with terms, conditions and phases as indicated in accompanying attachment.

Upon the Budget and Control Board's approval, we will initiate the contract by issuing a purchase order.

Respectfully,

A handwritten signature in cursive script that reads "Richard J. Campbell".

Richard J. Campbell
Director of Purchasing

RJC:ap

Attachments

RECEIVED
JUN 27 1978

**S. C. BUDGET AND
CONTROL BOARD**

ODELL ASSOCIATES INC.

PLANNING
ARCHITECTURE
ENGINEERING

301 COLLEGE STREET · GREENVILLE, SOUTH CAROLINA 29601
803-235-6600

16 17124 100 04
CERT. 2-11-1978

BENJAMIN T. ROOK, AIA
VICE PRESIDENT

February 23, 1978

Mr. H. O. Sharpe
Contracts Administrator
Central State Purchasing
300 Gervais Street
Columbia, South Carolina 29201

Dear Mr. Sharpe:

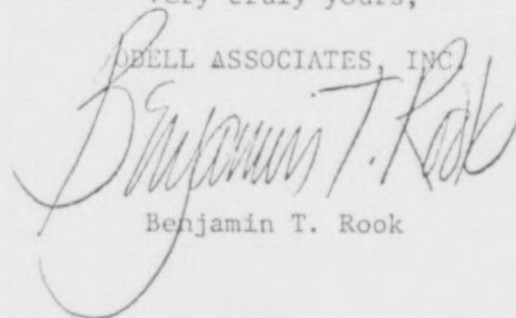
Enclosed per your request is our Proposal for Landscape Architectural Services at the Birchwood Campus of the Department of Youth Services.

The detailed scope of services was developed for planning within the confines of the perimeter road which encompasses this facility. Our Proposal is to provide such services for a maximum (not-to-exceed) firm price of \$7,500. We anticipate the project being executed within an eleven (11) week period from the date of notification of selection.

In the meantime, should you desire further information as to our staff or capabilities, please do not hesitate to let me know.

Very truly yours,

ODELL ASSOCIATES, INC.



Benjamin T. Rook

K-70
Encl.: Proposal

ODELL ASSOCIATES INC.

PLANNING
ARCHITECTURE
ENGINEERING

301 COLLEGE STREET - GREENVILLE, SOUTH CAROLINA 29601

803-235-6600

78 MAR 13 AM 41
CENTRAL STATE PURCHASING

BENJAMIN T. ROOK, AIA
VICE PRESIDENT

March 10, 1978

Mr. H. O. Sharpe
Contracts Administrator
Central State Purchasing
300 Gervais Street
Columbia, South Carolina 29201

Dear Mr. Sharpe:

As per your request, this is to clarify that our proposal of February 23, 1978, for landscape design services at the Birchwood Campus of the Department of Youth Services includes our services for irrigation design, including the following:

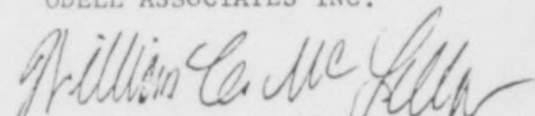
1. Determine scope of irrigation required with Owner Agency input.
2. Provide design and backup information for irrigation system. Review with Owner Agency for compliance with requirements.
3. Provide detailed working drawings, specifications, and cost estimate for irrigation system.
4. Provide maintenance guideline and operational outline for Owner's maintenance crews.

There will be no additional charge for this work as it was intended to be included in the scope of our services.

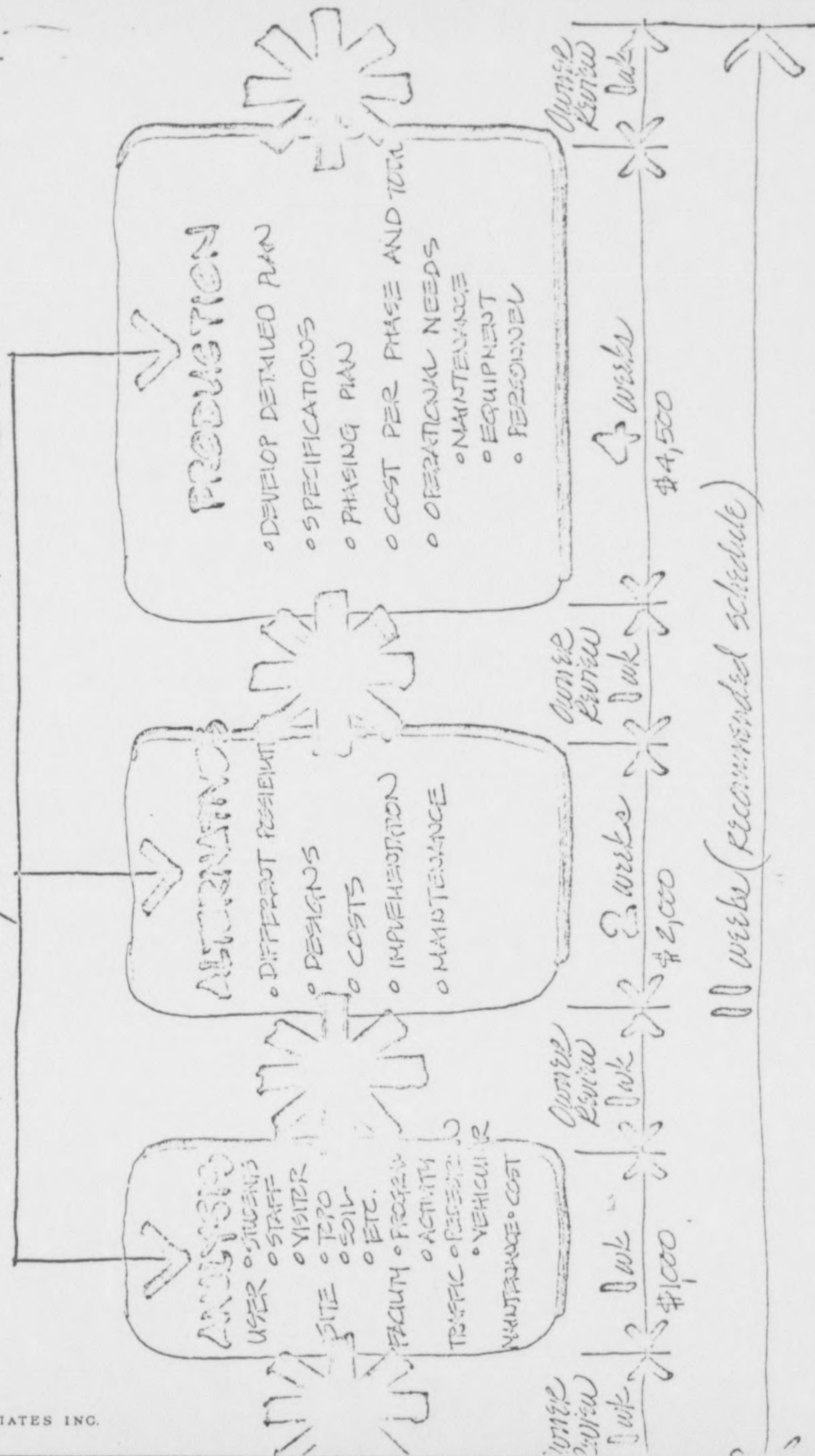
If we can be of any further assistance, please do not hesitate to contact either Mr. Ben Rook or the undersigned.

Very truly yours,

ODELL ASSOCIATES INC.


William C. McLellan

Continuous Input and Interview with USER



PLAN DEVELOPMENT


- I. Complete the development of detailed working drawings for the entire project on the basis of review comments received from the Owner. Drawings will show locations and details for all proposed construction. Develop detailed listing of plant materials to be incorporated in the construction indicating variety, size, root condition, planting instructions and guarantees, etc.
- II. Develop outline specifications for all proposed construction. Provide detailed maintenance requirements and guidelines to Owner for entire site area, including personnel and equipment necessary.
- III. Submit finalized phasing diagram of construction, indicating that the project site appears complete at any phase of the project. Develop detailed cost estimate for each phase with specific construction items broken out and unit quantities and costs estimated.

Hold a final meeting with the Owner to review the working drawings, specifications, maintenance requirements, phasing diagram, and project costs.

The final phase of work can be completed within five weeks time, at a cost of \$4,500.

Trips requested by the Owner in addition to those listed above can be accommodated on a reimbursement basis to cover the travel expenses incurred and a multiple of 2.5 times direct personnel expense, as requested.

The entire project is envisioned to require eleven weeks of time and will be performed at a guaranteed not to exceed price of \$7,500.



PROPOSAL FOR LANDSCAPE DESIGN
BIRCHWOOD CAMPUS
YOUTH SERVICES DIVISION

Columbia, South Carolina

ANALYSIS

- I. Provide one preliminary trip for a meeting with the Owner to review the user needs for staff, students, and visitors. Also, review the facility for operation, purpose, and function for information of the Designers. Provide written confirmation of discussions and decisions reached at the meeting.
- II. Prepare a site analysis considering the following elements: Topography, vegetation, erosion, soils, utilities, existing circulation patterns for pedestrians and vehicles, maintenance performance, etc. Present the above data graphically for the Owner's information and review.

Hold a meeting with the Owner to review the above information and generate potential solutions to problems identified. Provide written confirmation of discussions and decisions.

The above work can be completed within three weeks time and at a cost of \$1,000.

ALTERNATIVES

- I. Define problem areas and generate alternatives for solving the problems. All alternatives will consider design appearance, costs, maintenance requirements, implementation by phasing, and Owner's input. Have soils tested for planting and construction requirements.
- II. Develop concepts generally illustrating massing of plant materials, preliminary listing of plant material types to be used, outline of annual and seasonal maintenance requirements, maintenance equipment and facilities required, locations for other site improvements such as additional parking, sidewalks, patio-sitting-picnic areas, pools, drinking fountains, recreation facilities, etc.
- III. Develop base maps and hardline drawings to be utilized as base maps for working drawing phase.

Hold a meeting with the Owner to review the above design alternatives and finalize approved design concept with Owner's input. Review cost estimate, maintenance guideline, and phasing diagram with Owner. Provide written confirmation of discussions and decisions.

This phase of work can be completed within three weeks time and at a cost of \$2,000.

*What else
Owner's input
1" = 50 feet
notes*

The State

P. O. BOX 150
COLUMBIA, S. C. 29202

The Columbia Record

SOUTH CAROLINA'S LARGEST AFTERNOON NEWSPAPER

- Division of General Services
300 Gervais St.
- Columbia, S.C. 29201

PAY
LAST
AMOUNT

FORM 92

NOTICE

Proposals for Landscaping
Architectural Services at the
Birchwood Campus of the Department
of Youth Services, 5000 Broad River
Road, Columbia, S.C., will be received
at this office until 11:30 a.m. January
18, 1978.

18, 1978
Information concerning these proposals will be furnished upon request.
DIVISION OF GENERAL SERVICES
JAMES H. BARNES
STATE PURCHASING OFFICER



Grady A. Decell
Director

Youth Services

P. O. Box 21487/Columbia, S. C. 29221
Telephone (803) 758-6592

June 28, 1978

Mr. John A. McPherson, Jr.
Chief Engineer
State Auditor's Office
205 Wade Hampton Office Building
Columbia, South Carolina 29211

Dear Mr. McPherson:

Please be advised that the South Carolina Department of Youth Services accepts the proposal for Landscape Architectural Service submitted by Odell Associates on February 23, 1978. This contract shall be executed in accordance with terms, conditions and phases as indicated in accompanying attachment.

Upon the Budget and Control Board's approval, we will initiate the contract by issuing a purchase order.

Respectfully,

A handwritten signature in dark ink, appearing to read "Richard J. Campbell". The signature is fluid and cursive.

Richard J. Campbell
Director of Purchasing

RJC:ap

Attachments

PROPOSAL FOR LANDSCAPE DESIGN
BIRCHWOOD CAMPUS
YOUTH SERVICES DIVISION

Columbia, South Carolina

ANALYSIS

- I. Provide one preliminary trip for a meeting with the Owner to review the user needs for staff, students, and visitors. Also, review the facility for operation, purpose, and function for information of the Designers. Provide written confirmation of discussions and decisions reached at the meeting.
- II. Prepare a site analysis considering the following elements: Topography, vegetation, erosion, soils, utilities, existing circulation patterns for pedestrians and vehicles, maintenance performance, etc. Present the above data graphically for the Owner's information and review.

Hold a meeting with the Owner to review the above information and generate potential solutions to problems identified. Provide written confirmation of discussions and decisions.

The above work can be completed within three weeks time and at a cost of \$1,000.

ALTERNATIVES

- I. Define problem areas and generate alternatives for solving the problems. All alternatives will consider design appearance, costs, maintenance requirements, implementation by phasing, and Owner's input. Have soils tested for planting and construction requirements.
- II. Develop concepts generally illustrating massing of plant materials, preliminary listing of plant material types to be used, outline of annual and seasonal maintenance requirements, maintenance equipment and facilities required, locations for other site improvements such as additional parking, sidewalks, patio-sitting-picnic areas, pools, drinking fountains, recreation facilities, etc.
- III. Develop base maps and hardline drawings to be utilized as base maps for working drawing phase.

Hold a meeting with the Owner to review the above design alternatives and finalize approved design concept with Owner's input. Review cost estimate, maintenance guideline, and phasing diagram with Owner. Provide written confirmation of discussions and decisions.

This phase of work can be completed within three weeks time and at a cost of \$2,000.

PLAN DEVELOPMENT


- I. Complete the development of detailed working drawings for the entire project on the basis of review comments received from the Owner. Drawings will show locations and details for all proposed construction. Develop detailed listing of plant materials to be incorporated in the construction indicating variety, size, root condition, planting instructions and guarantees, etc.
- II. Develop outline specifications for all proposed construction. Provide detailed maintenance requirements and guidelines to Owner for entire site area, including personnel and equipment necessary.
- III. Submit finalized phasing diagram of construction, indicating that the project site appears complete at any phase of the project. Develop detailed cost estimate for each phase with specific construction items broken out and unit quantities and costs estimated.

Hold a final meeting with the Owner to review the working drawings, specifications, maintenance requirements, phasing diagram, and project costs.

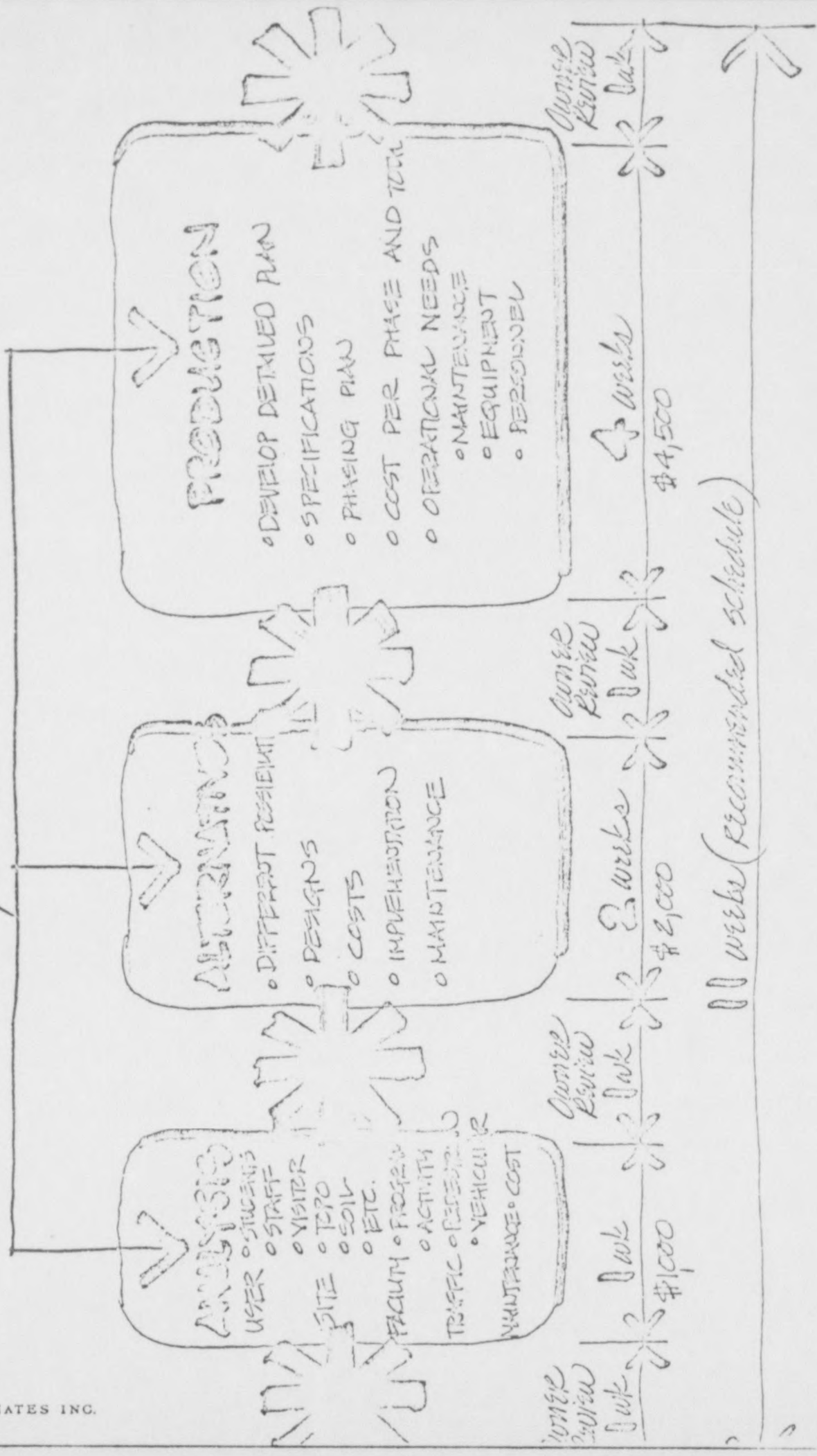
The final phase of work can be completed within five weeks time, at a cost of \$4,500.

Trips requested by the Owner in addition to those listed above can be accommodated on a reimbursement basis to cover the travel expenses incurred and a multiple of 2.5 times direct personnel expense, as requested.

The entire project is envisioned to require eleven weeks of time and will be performed at a guaranteed not to exceed price of \$7,500.



Continuous Input and Interview with USER



2/6

WILLIAMS & WILLIAMS

1150 SCN CENTER
LADY & MAIN STREETS

COLUMBIA, SOUTH CAROLINA 29201

803/252-0333

July 3, 1978

HAND DELIVERED

Honorable William T. Putnam
Auditor, The State of South Carolina
200 Wade Hampton Office Building
Columbia, South Carolina 29211

Re: Odell Associates, Inc.,
Proposed Contract with Youth Services

Dear Mr. Putnam:

Thank you for your courtesy in giving us your valuable time this morning. You and Mr. McPherson were most helpful.

From our meeting, it is my understanding that there are no further technical, legal or other impediments to the proposed contract between Youth Services and Odell Associates. You have a copy of the Certificate of Authorization issued by the Landscape Architects Board of Registration for South Carolina on June 23, 1978, showing that the firm of Odell Associates, Inc. is authorized to contract for landscape architectural services. Previously, at the suggestion of Frank K. Sloan, Esq., of the Attorney General's Office, the contract was amended to make a technical correction to add the name of William C. McClellan, a licensed South Carolina landscape architect, and an officer of Odell Associates, Inc. However, from our meeting, I understand that the contract is now being submitted to the Budget and Control Board in the name of Odell Associates, Inc., since the firm is now certified, and you know of no other reasons why the contract should not be submitted to the Board.

You have given me a copy of the Poll Index or agenda for submission to the State Budget and Control Board on July 6, 1978, and have informed me that this contract appears as the second item thereon.

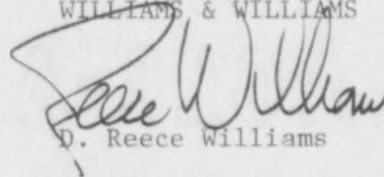
Should you or Mr. McPherson, your Chief Engineer, find any reason or reasons why this contract should not be submitted to the Budget and Control Board

Honorable William T. Putnam
July 3, 1978
Page -2-

for consideration as scheduled, please let me know as soon as possible.

Yours very truly,

WILLIAMS & WILLIAMS

A handwritten signature in dark ink, appearing to read "D. Reece Williams", is written over the typed name. The signature is stylized with a large, sweeping initial "D".

D. Reece Williams

fe
cc: Benjamin T. Rook

STATE BUDGET AND CONTROL BOARD

POLL OF July 6, 1978

POLL ITEM NUMBER

EXHIBIT III
3 7/6/78

Agency: Development Board

Subject: Positions Above Authorized Number

One request is for authorization to add five Geology - Unclassified Positions to the nine specified in the Appropriation Bill. These are part-time positions and no increase in funding is involved.

A second request is to add one part-time position under Economic Development.

Board Action Requested:

Approve

Vote Of Board Member: (Please indicate by initialing appropriate line below.)

_____ I approve of the above action.
_____ I disapprove of the above action.
_____ Hold for regular meeting.

Attachments:

Hutto 6/28/78 memo plus attachments

2

OFFICE MEMORANDUM

Re: Position changes by State Development Board

From: A. D. Hutto

Date: June 28, 1978

State Development Board (SDB) by letter (attached) from Earl Ellis to W. T. Putnam, dated June 14, 1978, requests increase in numbers of positions in two divisions:

1. From 9 to 14 unclassified - no increase in funds - used for hiring geologists, etc., usually under dual employment arrangements with USC, or Clemson throughout year (longer than 6 months) for various projects.

It is recommended this increase in number of positions be granted.

2. Add one part-time position already on board who will apparently work longer than 6 months filling-in for a person pending possible disability retirement (to approximately November 1, 1978). It is recommended that the Board authorize extension of the part-time employee on a temporary basis beyond six months to November 1, 1978.

ADH/fhb

Budget



STATE DEVELOPMENT BOARD

POST OFFICE BOX 927
COLUMBIA, SOUTH CAROLINA 29202

F. EARL ELLIS
DEPUTY DIRECTOR

June 14, 1978

RECEIVED
JUN 16 1978
STATE AUDITOR'S OFFICE
BUDGET DIVISION
TEL. 803/758-3145
TWX NO. 810 666 2628

The Honorable William T. Putnam
State Auditor
Wade Hampton Office Building
Columbia, South Carolina 29201

Dear Bill:

For a number of years, our Division of Geology has utilized part-time assistance for geologic reconnaissance and mapping. We commonly refer to these as "Project Geologists and Assistants." Additionally, each year our appropriation has a line item established to cover the costs for such services.

The number of people utilized each year may vary, but the dollars spent never exceed the appropriated amount. For example, during FY 76-77, there were twelve persons involved; and in FY 77-78, nine persons were utilized.

Present planning indicates that we will utilize up to fourteen persons during FY 78-79. In the General Appropriation Bill for next fiscal year (Item III--Geology--Unclassified Positions), the number of persons is indicated as being nine. We would like the Budget and Control Board's approval to increase the number used from nine, but not to exceed fourteen. The appropriate funds will be spread over a greater number of people, but the total projected expenditure will not exceed the amount in the Bill.

In addition to the above, under Item II--Economic Development--Classified Positions, we request approval to increase the projected number of persons from 53 to 54. The additional person is to cover a part-time position that we are utilizing to compile and prepare for publication the necessary data for our Industrial Directory and our Metalworking Directory. In addition, she handles the major work concerning sales of these two items.

We have found it necessary to utilize a part-time employee for this effort in that the employee who normally handled a good portion of this work has for some time been suffering from a partially disabling condition and, as a consequence, has been unable to keep up with the work load and carry out the responsibilities involved. This individual has made application for disability retirement. While at this time we do not know whether the application will result in approval, it is anticipated that it will be approved with the timing to be approximately November 1, 1978.

The Honorable William T. Putnam

Page 2

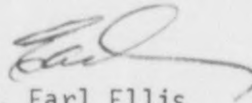
June 14, 1978

If the disabled employee does go on disability retirement, the part-time employee will be placed on full-time as a replacement, and one position will then be eliminated.

If additional information is needed, please let me know.

The Board's consideration on these requests is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "F. Earl Ellis", with a stylized flourish at the end.

F. Earl Ellis
Deputy Director

FEE/mam

STATE BUDGET AND CONTROL BOARD

POLL OF July 6, 1978

POLL ITEM NUMBER

EXHIBIT IV

4 7/6/78

Agency: Division of General Services

Subject: Right-of-way to SCEG for Housing Authority Waltherboro Project

Board Action Requested:

Approve clearing of right-of-way as shown on drawing #D-58,575 to provide electric service to referenced project.

Vote Of Board Member: (Please indicate by initialing appropriate line below.)

_____ I approve of the above action.

_____ I disapprove of the above action.

_____ Hold for regular meeting.

Attachments:

McEachern agenda notes

STATE BUDGET AND CONTROL BOARD
DIVISION OF GENERAL SERVICES
AGENDA

July 6, 1978

→ I. SCE&G -- Right-of-way

South Carolina Electric & Gas Company has requested right-of-way to provide electric service to the Walterboro Apts. being constructed by the South Carolina Housing Authority. This right-of-way will be in accord with plans as shown on drawing No. D-58,575 approved February 17, 1978. This right-of-way is necessary to provide service for the completion of this project. It is recommended that the Board approve the clearing of this right-of-way by the South Carolina Housing Authority.

II. Printing Contracts for Legislative and Departmental Printing

The Division has received bids for legislative printing and departmental printing as required by statutes. A tabulation of the present contract prices and the prices of the low bidders by items required is attached. The prices generally reflect a 10% increase when compared to the existing contract for the same number of copies. This contract is awarded for a two year period and the 10% increase reflects the inflation experienced since the last bid. It is recommended that the Board approve these bids and the execution of contracts with the successful bidders.

MEETING OF July 6, 1978

AGENDA ITEM NUMBER

Agency:

State Personnel Division

Subject:

The Department of Mental Health has requested approval for a special educational leave system that will allow the Department to establish a training program for licensed practical nurses in conjunction with Midlands Technical College. The Department estimates that the 15 month program for 20 persons will cost approximately \$87,000 in paid educational leave time. In addition, the Department will reimburse TEC for the salaries of two instructors.

Board Action Requested:

Approval, under Section 10.08 of the new Personnel Rules

Staff Comment:

In consideration of the special problems facing the Department, the Personnel Division recommends approval. The Department has agreed that it would increase the service commitment of the trainees to one year following graduation.

Carried over from 6/7/78 meeting.
Dr. Hall will be present to answer questions.

Attachments:

Letter of 5/2/78, Hall to Mullins with enclosures



South Carolina Department of Mental Health

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202 / (803) 758-8090

William S. Hall, M.D.
State Commissioner of Mental Health

May 2, 1978

Jack S. Mullins, Ph.D.
Director, State Personnel Division
Edgar A. Brown Building
Columbia, South Carolina

Dear Dr. Mullins:

The purpose of this letter is to request approval for a special educational leave system which will allow the Department of Mental Health to establish a training program for licensed practical nurses in conjunction with Midlands Technical College. Our request is being submitted under Section 9.08 of the new State Staff Development and Training Guidelines. This provision states that special consideration may be given by the State Budget and Control Board to agencies demonstrating a training need which cannot be met under existing guidelines. The attached proposal outlines our agency's need, requirements and tentative agreements related to the proposed training program, and procedures whereby the program can be implemented.

If you or members of the Board have any further questions regarding the proposed training program, please feel free to contact Mr. Brooks Galloway, Department of Mental Health Personnel Division, or Dr. Angela Holweger, Career Development Program.

I sincerely appreciate your cooperation and assistance in bringing this request to the attention of the Board.

Sincerely,

William S. Hall, M.D.
State Commissioner of Mental Health

WSH:AH:sp
Enclosure

RECEIVED
MAY 15 1978
S. C. STATE
PERSONNEL DIVISION

TRAINING PROPOSAL

The recruitment and retention of licensed nurses has been a long standing problem in the Department of Mental Health. The situation has become even more critical in light of recent legislation requiring that only licensed nursing personnel dispense medications. In order to comply with these developments, the Department of Mental Health has declared a state of emergency until such time as sufficient numbers of licensed nurses can be employed. Recruiting efforts have been bolstered in attempt to meet our staffing needs by 1983. However, the maldistribution of licensed personnel in our state, current salary ranges offered in the Department, and the nature of the work itself continue to hinder efforts to recruit and retain nurses in the numbers required to ensure adequate patient care regarding medications. We must pursue alternative means for providing our facilities with licensed personnel. At the same time, we are concerned about providing career opportunities to unlicensed personnel who have demonstrated their competence in direct patient care activities. It is much to the Department's advantage, in terms of efficiency in job functioning and cost effectiveness, to assist current, experienced staff obtain the training necessary to earn licensure.

Based on these priorities, the Department of Mental Health has been exploring the possibility of establishing a linkage between this agency and the practical nursing program at Midlands Technical College. The purpose of this linkage would be to channel qualified and experienced Mental Health Specialists (aides) through the LPN program while they continue in employment with the Department. Based on current projections, it would be possible to nearly double the number of licensed practical nurses employed by 1983. This can be achieved at minimal cost to the Department, while providing maximum benefit to our employees. By allowing trainees

to continue in their current jobs while they are receiving training, retention after graduation is more likely and the trainee has the opportunity to directly apply newly learned skills. Based on a department-wide survey, some 600 currently employed Mental Health Specialists have indicated interest in entering and completing an LPN program under these conditions.

The proposed linkage with Midlands Technical College has been discussed with, and sanctioned by, the Health Regulatory Agency for LPN and RN Programs, State Board of Nursing. Ms. Ruth Ziegler, Executive Director of the agency, has offered the cooperation and assistance of her staff in negotiating the provisions for increased enrollment needed to effect the linkage.

Tentative agreements have also been reached with Don Ballington, Director of Allied Health Division, Midlands Technical College and Mrs. Jane Hinant, Head of the LPN Program. The Midlands Tec program can expand its enrollment to accommodate twenty Department of Mental Health employees per year (with potential of expanding to thirty in following years). The fifteen-month program, which is highly recognized and accredited at both the state and national level, includes classroom and laboratory instruction and practicum field placement at Richland Memorial Hospital. In addition to a 50% reduction in tuition costs, trainees would be eligible to apply for other educational assistance through the college's Office of Student Aid.

The department's request for special consideration regards the system of work release time which must be established to allow employees enrolled in the program to leave their work area for some part of the day. Day shift employees in the program would work five hours of their normal eight-hour shift, leaving work three hours early to attend classes from 12:30-6:00 p.m. Evening shift employees would not assume their regular duties until 6:00 p.m., but would work the remaining five hours of their shift. Each day, then, employees in the program would be working five hours for the Department of Mental Health, and attending classes or placement

for approximately six hours (three hours on department time, three hours their own time). Approval is requested to pay these employees a full time salary while they take fifteen-hours per week off to attend classes and placement. The provision of this policy would be:

- a. trainees would retain full benefits as employees of the Department of Mental Health;
- b. trainees would be required to sign a contract pledging six months of continued employment following graduation or a reimbursement to the Department of Mental Health for all salaries earned during educational leave-with-pay;
- c. trainees would receive no tuition or fee assistance from the Department of Mental Health.

To ensure an equitable system of selection, each facility in the Department of Mental Health would establish screening procedures for selecting employees for the program (based on a quota system of numbers employed) and for monitoring the progress of trainees. Initial selections would be made from the upper-most ranks of experienced employees who demonstrate the academic competencies to benefit from the training and the motivation needed to complete the program. Criteria for selection would include such considerations as educational level, time in employment and current classification, work record, and ability and motivation to accommodate the heavy work-study schedule that would be required.

Given the urgency of the need for licensed personnel and the nature of the agreements which have been tentatively reached with the other agencies involved, the proposed linkage has been endorsed by the Department's Personnel Division and facility administrators. The Department of Mental Health requests the careful consideration and approval of the training proposal in order to affect the linkage by late summer of this year.

May 2, 1978

STATE BUDGET AND CONTROL BOARD

MEETING OF July 6, 1978

AGENDA ITEM NUMBER

EXHIBIT VI

3

7/6/78

Agency: Personnel Division

Subject: "On-call" pay for physicians at Hall Psychiatric Institute. Section 3.04.D.1 states: "Payment to an employee for being in 'On Call' status may be made only with prior, specific approval by the Budget and Control Board."

The Department of Mental Health has requested Board approval for approximately 31 physicians to be paid for "On Call" status, plus approximately 55 physicians to be paid for "Call Back" status.

Board Action Requested:

Staff Comment:

Attachments:

STATE BUDGET AND CONTROL BOARD

MEETING OF July 6, 1978

AGENDA ITEM NUMBER

EXHIBIT VII

7/6/78

4

Agency: State Engineer

Subject: A&E Selection Process

As a follow-up to the 6/7/78 meeting, an Attorney General's Office opinion on the A&E selection procedure has been obtained and is attached.

Board Action Requested:

Consider Attorney General's Office opinion

Staff Comment:

Attachments:

- (1) Sloan 6/21/78 letter to McPherson
- (2) Copy of Code Sections 10-5-10 through 10-5-80

The State of South Carolina



Office of the Attorney General

FRANK K. SLOAN
DEPUTY ATTORNEY GENERAL

WADE HAMPTON OFFICE BUILDING
POST OFFICE BOX 11549
COLUMBIA, S. C. 29211
TELEPHONE 803-758-3970

DANIEL R. MCLEOD
ATTORNEY GENERAL

June 21, 1978

Mr. John A. McPherson, Jr.,
Chief Engineer
State Auditor's Office
Wade Hampton Office Building
Columbia, South Carolina 29211

RECEIVED

JUN 22 1978

**S. C. BUDGET AND
CONTROL BOARD**

Dear Mr. McPherson:

You have requested the opinion of this Office as to interpretation of Sections 10-5-50 and 10-5-80 of the 1976 Code of Laws, and the proper procedure to be observed by State agencies in selection of architectural and engineering firms under Act No. 1136 of 1974, Section 10. (Now Code Sections 10-5-10 to 10-5-80).

Section 10-5-50 provides:

After reviewing and evaluating qualifications, the agency shall select the three which, in its judgment, are the most qualified, ranking the three in priority order.

The agency shall consider the ability of professional personnel, past performance, willingness to meet time and budget requirements, location, recent, current and projected work loads of the firms, and the volume of work previously awarded to the firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms; provided, however, that such distribution does not violate the principle of selection of the most highly qualified firms.

Mr. John A. McPherson, Jr.,
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June 21, 1978

Applying these principles the agency then must negotiate a contract with the most qualified firm, as required by Section 10-5-60, and submit the proposed contract to the State Budget and Control Board with the additional supporting information required by Section 10-5-70. The Board is then to proceed as provided in Section 10-5-80:

After review of the data submitted, the Budget and Control Board shall determine its position with respect to the particular firm recommended for approval by the agency. The Board shall formally notify the agency of its approval or rejection. In event of approval, the agency is authorized to execute a contract with the selected firm. In the event of rejection, the agency shall submit the name of another firm for the Board's consideration, selected in accordance with the procedure outlined herein. The agency shall not enter into a contract for architectural or engineering services without the approval of the Budget and Control Board.

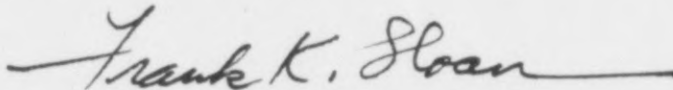
It is the opinion of this Office that the intent of the Act is clearly expressed in its language. While the agency negotiates a proposed or tentative contract with only the "most qualified" firm as selected under the criteria provided in the Act, it must provide to the Board a list of all firms considered, as required by Section 10-5-70; and it is the plain intent of the language of all sections taken together that this list should show the agency's determination of the three most qualified firms in priority order.

It does not follow, however, that the Board can make the selection of another firm from the list in the event it does not approve the selection recommended by the agency. Instead, as Section 10-5-80 clearly indicates, the agency then must review the matter and submit a proposed contract with another firm for the Board's consideration.

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The statutory scheme does not admit any other procedure, for the reason that the agency does not negotiate a proposed contract with another firm until the Board has rejected the first. It follows that the Board has no implied power under the Act to make its own selection from the list supplied. Even if the Act could be so read the Board would not have proposed contracts before it from which it could make a selection and approve one for final execution.

Very truly yours,

A handwritten signature in cursive script, reading "Frank K. Sloan", followed by a horizontal line.

Frank K. Sloan
Deputy Attorney General

FKS/jb

CHAPTER 5

Construction and Renovation of Public Buildings and Other Projects

ARTICLE 1. Selection of Architectural and Engineering Firms.

ARTICLE 3. Construction of Public Buildings for Access by Handicapped Persons.

ARTICLE 1

SELECTION OF ARCHITECTURAL AND ENGINEERING FIRMS

SEC.

10-5-10. Application of article.

10-5-20. "Agency" defined.

10-5-30. Publication and mailing of project description and request for resume of qualifications.

10-5-40. Conferences with firms submitting resumes.

10-5-50. Selection of three most qualified applicants.

10-5-60. Negotiation of contract.

10-5-70. Submission of contract and other data to State Budget and Control Board.

10-5-80. Approval or rejection by State Budget and Control Board.

§ 10-5-10. Application of article.

All State agencies and departments shall follow the procedure in this article described when selecting an architectural or engineering firm to provide services to the agency or department.

HISTORY: 1962 Code § 1-453; 1974 (58) 2608.

Cross references—

As to regulation of architects, generally, see §§ 40-3-10 to 40-3-160.

As to regulation of engineers, generally, see §§ 40-21-10 to 40-21-410.

§ 10-5-20. "Agency" defined.

As used in this article "agency" shall mean all State agencies or departments.

HISTORY: 1962 Code § 1-454; 1974 (58) 2608.

§ 10-5-30. Publication and mailing of project description and request for resume of qualifications.

A description of the proposed project and required services

shall be developed by the agency and published at least once in one or more newspapers of general circulation throughout the State. The publication shall request the submission of a resume of qualifications by a specified date from interested architectural or engineering firms. The date for submission shall be not less than fifteen days after publication of the notice.

In addition to newspaper publications, the project description and request may be mailed directly to architectural or engineering firms; *provided, however*, that all eligible South Carolina firms shall be included in the mailing.

HISTORY: 1962 Code § 1-455; 1974 (58) 2608.

Research and Practice References—

64 Am Jur 2d, Public Works and Contracts § 53.

§ 10-5-40. Conferences with firms submitting resumes.

Following the receipts of resumes of qualifications, the agency shall hold conferences with at least three firms submitting resumes. The purpose of the conferences shall be to provide such further information as may be required by the agency to fully acquaint itself with the relative qualifications of the several interested firms.

HISTORY: 1962 Code § 1-456; 1974 (58) 2608.

§ 10-5-50. Selection of three most qualified applicants.

After reviewing and evaluating qualifications, the agency shall select the three which, in its judgment, are the most qualified, ranking the three in priority order.

The agency shall consider the ability of professional personnel, past performance, willingness to meet time and budget requirements, location, recent, current and projected work loads of the firms, and the volume of work previously awarded to the firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms; *provided, however*, that such distribution does not violate the principle of selection of the most highly qualified firms.

HISTORY: 1962 Code § 1-457; 1974 (58) 2608.

§ 10-5-60. Negotiation of contract.

The agency shall negotiate a contract for services with the most qualified firm at a compensation which the agency determines is fair and reasonable to the State. Should the agency be unable to negotiate a satisfactory contract with this firm, negotiations shall be formally terminated. The agency shall then negotiate in the

same manner with the second and then the third most qualified firms until a satisfactory contract has been negotiated. If no agreement is reached with the three firms, additional firms in order of their competence and qualifications, shall be selected and negotiations continued in the same manner until agreement is reached.

HISTORY: 1962 Code § 1-458; 1974 (58) 2608.

§ 10-5-70. Submission of contract and other data to State Budget and Control Board.

The agency shall submit the name of the selected firm and a tentative contract to the State Budget and Control Board for approval and shall submit a list of the other firms considered.

In addition to such submittal the agency shall provide (a) a statement of construction projects undertaken in the preceding two years, showing the architectural or engineering firm involved, the nature of the project, and the amount of the construction contract; and (b) a certification that the newspaper announcement required above was duly published.

HISTORY: 1962 Code § 1-459; 1974 (58) 2608.

Cross references—

As to composition, powers and duties of State Budget and Control Board generally, see Chapter 11 of Title 1.

As to the State Budget and Control Board, generally, see §§ 1-11-10 to 1-11-160.

§ 10-5-80. Approval or rejection by State Budget and Control Board.

After review of the data submitted, the Budget and Control Board shall determine its position with respect to the particular firm recommended for approval by the agency. The Board shall formally notify the agency of its approval or rejection. In event of approval, the agency is authorized to execute a contract with the selected firm. In the event of rejection, the agency shall submit the name of another firm for the Board's consideration, selected in accordance with the procedure outlined herein. The agency shall not enter into a contract for architectural or engineering services without the approval of the Budget and Control Board.

HISTORY: 1962 Code § 1-460; 1974 (58) 2608.

Cross references—

As to composition, powers and duties of State Budget and Control Board generally, see Chapter 11 of Title 1.

STATE BUDGET AND CONTROL BOARD

MEETING OF July 6, 1978

AGENDA ITEM NUMBER 5

Agency: State Engineer

Subject: Adoption of Building Codes

State Engineer McPherson advises that Assistant Attorney General Sloan indicates that adoption of the 1978 revision to the Codes will require adherence to the procedures set forth in Act 176 of 1977, Article I (State Register and Code of Regulations).

Mr. McPherson notes that up to the present all State permanent improvements have been constructed under the then latest code revisions. However, he points out that having to follow Act 176 of 1977 could mean the State could be one or possibly two years behind in adopting code revisions.

Board Action Requested:

Consider seeking relief from the referenced Act 176 requirements as they relate to the several building codes.

Staff Comment:

Attachments:

McPherson 6/14/78 memorandum to Putnam



STATE OF SOUTH CAROLINA

OFFICE OF THE STATE AUDITOR

P. O. BOX 11333

COLUMBIA

29211

WILLIAM T. PUTNAM
STATE AUDITOR

TELEPHONE
(803) 756-3106

June 14, 1978

MEMORANDUM

TO: Mr. William T. Putnam, State Auditor

FROM: John A. McPherson, Chief Engineer

SUBJECT: Building Codes for Permanent Improvement Projects

The Office of Chief Engineer since it was established has adopted the Building Codes of the Standard Building Code Congress International (Building, Mechanical, Plumbing, Gas and Fire) and the National Electrical Code. As these codes are revised each year, the revisions were also adopted and each State Agency, Architect and Engineer was so notified.

Mr. Frank Sloan, Assistant Attorney General, has advised that in order to adopt the 1978 revision to the Code, the procedure as established in R283, H2326- State Register and Code of Regulation will have to be followed. This means that each year, subject to the approval of the Budget and Control Board, to adopt the Code revision the procedure as outlined below would apply:

1. File with Legislative Council.
2. Advertise twice in at least two newspapers.
3. Hold public hearings if requested.
4. Wait and see what action the General Assembly will take within 90 days while in session.

Up until now, all of Permanent Improvement projects have been constructed under the latest code revision. Codes are promulgated for public safety, health and general welfare - through structural strength, sanitation, adequate light and ventilation, and safety to life and property. Since the revisions are not available until April or May of each year, this means the State could be one, possibly two years behind in adopting code revisions.

We have tried to impress on municipalities and counties, who also use the Standard Codes, that the State is up to date on adoption of the Codes, and now we are going to be a year or so behind municipalities and counties who generally adopt the Code revision as soon as they are published.

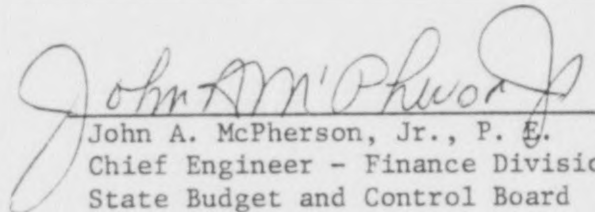
MEMORANDUM

Mr. W. T. Putnam

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This Office's adoption of the Codes and their revision does not effect the general public perse, but only has effect on the State Agency and its Architect and Engineer.

It is requested that the Board give consideration as to some relief to having to comply with H2326.


John A. McPherson, Jr., P. E.
Chief Engineer - Finance Division
State Budget and Control Board

JAMcP/fmj

The State of South Carolina



Office of the Attorney General

FRANK K. SLOAN
DEPUTY ATTORNEY GENERAL

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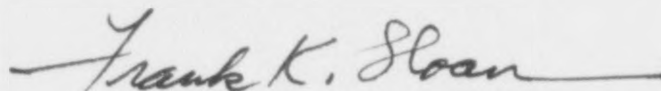
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Frank K. Sloan
Deputy Attorney General

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